



PATENT
ATTORNEY DOCKET NO.: 049128-5144

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Byung Chul AHN, et al.) Confirmation No.: 8591
)
Application No.: 10/774,701) Group Art Unit: 1765
)
Filed: February 10, 2004) Examiner: A. Alanko
)
For: METHOD OF PATTERNING)
TRANSPARENT CONDUCTIVE FILM,)
THIN FILM TRANSISTOR SUBSTRATE)
USING THE SAME AND)
FABRICATING METHOD THEREOF)

Commissioner for Patents
Customer Window
Alexandria, VA 22314

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In a Restriction Requirement dated March 13, 2006, the period for response to which extends through May 15, 2006, (May 13, 2006 being a Saturday) by a Petition for Extension of Time and fee payment authorization filed concurrently. In the Restriction Requirement, the Examiner required restriction under 35 U.S.C. § 121 between Group I (claims 1-23) drawn to a method of selective etching and Group II (claims 49-87) drawn to a method for fabricating a thin film transistor substrate. Applicants hereby elect Group II (claims 49-87) with traverse.

First, the Restriction Requirement states that “[i]nventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different designs, modes of operation, and effects (MPEP § 802.01 and § 806.06).” (Emphasis added.) Thus, by using “and,” a total of four requirements must be satisfied. However, the Restriction Requirement only addresses one of the four requirements (i.e., having different effects). Thus,

Applicants respectfully submit that the Restriction Requirement is improper because it has not established that the inventions are "unrelated."

Second, Applicants respectfully submit that the Restriction Requirement is improper because it does not address Applicants' traverse in the Response to Restriction Requirement submitted December 23, 2005. Thus, either a response to Applicants' traverse should be provided or the Restriction Requirement issued November 23, 2005 should be withdrawn.

Third, Applicants respectfully submit that there is no undue burden in examining both Group I and Group II.

Accordingly, for at least these reasons, Applicants respectfully submit that the Restriction Requirements should be withdrawn.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By:



Robert J. Goodell
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Dated: May 15, 2006

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